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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,717	11/30/2000	Dale W. Malik	BS00-168	1249
38823 7590 06/08/2007 THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/ BELLSOUTH I.P. CORP 100 GALLERIA PARKWAY SUITE 1750 ATLANTA, GA 30339			EXAMINER VU, THONG H	
			ART UNIT 2616	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/725,717

Applicant(s)

MALIK, DALE W.

Examiner

Thong H. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-21 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2,4-21,23-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

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1. Claims 1,2,4-21,23-28 are pending.
2. Amendment file 5/28/07 has been entered to the record.

Response to Arguments

3. Applicant's arguments, see pages 20-26, filed 5/28/07, with respect to Progrebisky-Ortega have been fully considered and are persuasive. The Final Rejection of claims 1,2,4-21,23-28 has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Alexander-Ortega-Gross.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2,4-7,21,23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander,III et al [Alexander, 2002/0080938 A1] in view of Ortega et al [Ortega 6,853,993 B2].

4. As per claim 1, Alexander disclosed a method of providing a system for automatically checking for an incorrect e-mail address in an outgoing e-mail communication, comprising:

creating an incoming domain name list in a memory [Alexander, a list domain names stored on a database, 0141];

receiving an incoming email communication [Alexander, email, POP, SMTP,MIME, 0076]; extracting a domain name from a sender's email address from the

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incoming email communications [Alexander, extract sender address and domain name, 0087];

storing the domain name in the incoming domain name list in the a memory [Alexander, a list domain names stored on a database, 0141];

checking if a domain name of the e-mail address associated with an intended recipient of the outgoing e-mail communication is included in the incoming domain name list in the memory [Alexander, cross-checked against a list of domain, 0142]; and

transmitting the outgoing email communication if the domain name is included in the incoming domain name list, otherwise generating a prompt for a user to confirm an e-mail address associated with the intended recipient of the outgoing e-mail communication [Alexander, verify to ensure the legitimacy and integrity of the signal, 0088].

However Alexander does not explicitly detail

checking if a discrepancy exists between a domain name of an e-mail address associated with an intended recipient of an outgoing e-mail communication and a domain name included in the incoming domain name list in the memory by detecting when there is at least one but no more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name;

In the same endeavor, Ortega discloses a system and method for predicting correcting spellings of term or domain name in search queries including a database server [Ortega, Fig 1] automatically replacing the misspelled term with the additional

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term if the additional is similar in spelling to the potentially-misspelled term to within a defined threshold or no more than a maximum number of discrepancies [Ortega, col 12 lines 60-65]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the automatically spelling check program with a defined threshold of discrepancies for the replaced misspelled term as taught by Ortega into Alexander's apparatus in order to utilize the error code, scanning and prompting process.

Doing so would improve the integrity and accuracy of email message.

5. As per claim 2, Alexander-Ortega disclose extracting a domain name from each e-mail address provided in the outgoing e-mail communication, wherein the e-mail communication is transmitted after checking each extracted domain name in the list of domain names, and confirming each e-mail address for which the extracted domain name is not included in the incoming domain name list [Alexander, extract sender address and domain name, 0087].

6. As per claim 4, Alexander-Ortega disclose receiving a corrected e-mail address from the user in response to the prompt; and repeating the steps of checking a corrected domain name and generating a prompt if the corrected domain name is not included in the incoming domain name list, until the user either confirms that the domain

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name provided in the e-mail address is correct or provides a domain name that is in the list of domain names [Alexander, extract sender address and domain name, 0087].

7. As per claim 5, Alexander-Ortega disclose the outgoing e-mail communication is intercepted in an e-mail server to check the domain name in the e-mail address prior to transmission [Alexander, a filter will check a database, 0097].

8. As per claim 6, Alexander-Ortega disclose the prompt is an e-mail message from the e-mail server to the user [Alexander, the live notification, 0128].

9. As per claim 7, Alexander-Ortega disclose the prompt is a network message to the user [Alexander, the live notification, 0128].

10. As per claims 21,23-25 contain the similar limitations as set forth in claims 1-2,4-7. Therefore claims 21,23-25 are rejected by the same rationale set forth claims 1-2,4-7.

11. Claims 8-20 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander,III et al [Alexander, 2002/0080938 A1] in view of Ortega et al [Ortega 6,853,993 B2] and further in view of Gross et al [Gross 6,782,510B1].

12. As per claim 8, Alexander-Ortega disclose A method of automatically checking for misspelled e-mail addresses in outgoing e-mail communications prior to transmission by an e-mail communications server, comprising:

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receiving email communications incoming to the email communications server
[Alexander, server, 0127];

creating a domain name database [Alexander, a list domain names stored on a
database, 0141];

extracting domain names in senders' e-mail addresses from the e-mail
communications incoming to the email communications server [Alexander, extract
sender address and domain name, 0087];

storing extracted domain names in the domain name database [Alexander, a list
domain names stored on a database, 0141];

receiving outgoing e-mail communications from client computers connected to
the e-mail communications server through a local network [Alexander, POP3,
SMTP,MIME, 0076];

searching the domain name database for domain names spelled similarly to the
domain names in e-mail addresses associated with intended recipients of the outgoing
e-mail communication routed in the outgoing e-mail communications [Alexander, cross-
checked against a list of domain, 0142];

by detecting when there is at least one but no more than a maximum number of
discrepancies between a domain name in the domain name database and the
extracted domain name [Ortega, col 12 lines 60-65, Fig 1];

Alexander-Ortega also taught the server returns an error code when the URL is
not found [Alexander, a web site, web page, 0034; error, 0143].

However Alexander-Ortega does not explicitly detail

generating an error prompt upon detecting that a domain name in an e-mail address provided in an outgoing e-mail communication is misspelled.

Gross taught an email program [Gross, col 8 lines 45-51] with a spell-checking program which dynamically checking [Gross col 9 lines 45-50] when the message error [Gross, col 2 lines 5-22]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the automatically spelling check program as taught by Gross into Alexander's apparatus in order to utilize the error code, scanning and prompting process.

Doing so would improve the integrity and accuracy of email message.

13. As per claim 9, Alexander-Ortega-Gross disclose searching for similarly spelled domain names is performed by checking each alphanumeric character comprised in the extracted domain name with the alpha-numeric characters (i.e.: text) comprised in the domain names in the database [Gross, an email program col 8 lines 45-51; a spell-checking program which dynamically checking, col 9 lines 45-50].

14. As per claim 10, Alexander-Ortega-Gross disclose searching for similarly spelled domain names is performed by removing an alpha-numeric character from the extracted domain name and searching the domain name database for a domain name consisting of at least each of the remaining alphanumeric characters in the extracted domain name

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[Gross, an email program col 8 lines 45-51; a spell-checking program which dynamically checking, col 9 lines 45-50].

15. As per claim 11, Alexander-Ortega-Gross disclose searching for similarly spelled domain names is performed by comparing the extracted domain name with reference domain names stored in the domain name database according to predetermined spelling grammar algorithms [Gross, an email program col 8 lines 45-51; a spell-checking program which dynamically checking, col 9 lines 45-50].

16. As per claims 12,13 Alexander-Ortega-Gross disclose the error prompt is an e-mail message from the e-mail server to the client computer transmitting the e-mail communication [Alexander, POP3, 0076].

17. As per claim 14, Alexander-Ortega-Gross disclose determining whether extracted domain names are already stored in the domain name database, whereby only a single copy of an extracted domain name is stored in the domain name database [Alexander, a list of domain name in database, 0141].

18. As per claim 15, Alexander-Ortega-Gross disclose storing tally information in the domain name database to tally the frequency in which domain names in the domain name database are extracted from incoming e-mail communications [Alexander, a list of domain name in database, 0141].

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19. As per claim 16, Alexander-Ortega-Gross disclose deleting domain names from the domain name database that are not frequently extracted from incoming e-mail communications according to respective tally information as inherent feature of domain list or database.

20. As per claim 17, Alexander-Ortega-Gross disclose the tally information for each domain name in the domain name database includes the calendar date in which the domain name was most recently extracted as inherent feature of domain list or database.

21. As per claim 18 Alexander-Ortega-Gross disclose An e-mail server for automatically checking for misspelled e-mail addresses in outgoing e-mail communications prior to transmission by an e-mail communications server, comprising:

an interceptor (i.e.: filter) for extracting domain names from e-mail addresses provided in incoming and outgoing e-mail communications [Alexander, filter, 0097];

a database generator for generating a domain name database for storing domain names extracted from sender's e-mail addresses in incoming e-mail communications [Alexander, a database, 0141; extract sender address and domain name, 0087]; and

a checker for searching the domain name database for domain names spelled similarly to the domain names in e-mail addresses associated with intended recipients of in the outgoing e-mail communications by detecting when there is at least one but no

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more than a maximum number of discrepancies between a domain name in the domain name database and the extracted domain name [Ortega, col 12 lines 60-65, Fig 1];

wherein the e-mail server prompts the user when it detects misspelled domain names in e-mail addresses in outgoing e-mail communications [Gross, an email program col 8 lines 45-51; a spell-checking program which dynamically checking, col 9 lines 45-50].

22. As per claim 19 Alexander-Ortega-Gross disclose an internal network communications interface for receiving outgoing e-mail communications to be transmitted from client computers and sending incoming e-mail communications to client computers, wherein the prompt is transmitted from the internal network communications interface to the client computer requesting transmission of the corresponding outgoing e-mail communication [Alexander, POP3, 0076].

23. As per claim 20 Alexander-Ortega-Gross disclose an external network communications interface for receiving incoming e-mail communications from an external network and sending outgoing e-mail communications transmitted from client computer connected to the internal network, wherein outgoing e-mail communications are transmitted from the external network communications interface to the external network after the checker confirms e-mail address spelling in the outgoing e-mail communications [Alexander, cross-checked against a list of domain, 0142];

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24. As per claim 26, Alexander-Ortega-Gross disclose An e-mail communications system stored in a client computer for automatically checking for incorrect e-mail addresses provided in outgoing e-mail communications from the client computer prior to transmission to an e-mail server, comprising:

an address extractor for extracting sender's e-mail addresses from incoming e-mail communications [Alexander, filter, 0097];

a previous sender addresses memory for storing e-mail addresses extracted from sender's e-mail addresses in incoming e-mail communications [Alexander, extract sender address and domain name, 0087];

a checker for searching the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications [Alexander, cross-checked against a list of domain, 0142], and

a checker for searching for a discrepancy between a sender address and the previous sender addresses memory for e-mail addresses of intended recipients that are provided in outgoing e-mail communications by detecting when there is at least one but no more than a maximum number of discrepancies between a previous sender address in the previous sender address memory and the email address of an intended recipient. [Ortega, col 12 lines 60-65, Fig 1]

wherein the checker generates a prompt for verification of an e-mail address of an intended recipient upon detecting that an e-mail address of an intended recipient in an outgoing e-mail communication is not present in the previous sender addresses

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memory [Gross, an email program col 8 lines 45-51; a spell-checking program which dynamically checking, col 9 lines 45-50].

25. As per claim 27, Alexander-Ortega-Gross disclose the previous sender addresses memory is included in an e-mail address directory [Alexander, a list of domain name in database, 0128].

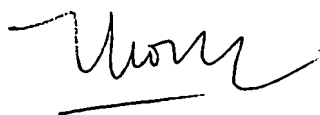
26. As per claim 28, Alexander-Ortega-Gross disclose the e-mail address directory additionally stores user-specified e-mail addresses [Alexander, a list of domain name in database, 0128].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong H. Vu whose telephone number is 571-272-3904. The examiner can normally be reached on 6:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Lynn Feild* can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thong Vu
Primary Examiner



THONG VU
PRIMARY PATENT EXAMINER